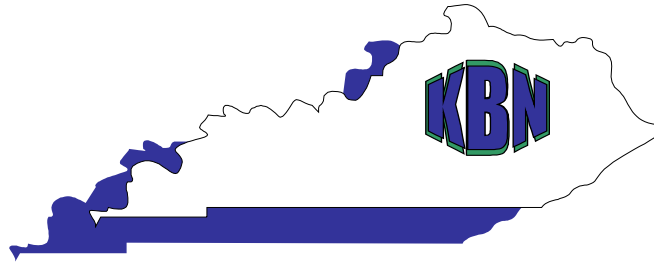


# Annual Report 2003-2004



## KENTUCKY BOARD OF NURSING

312 Whittington Pky, Suite 300

Louisville, KY 40222-5172

800-305-2042 or 502-429-3300

<http://kbn.ky.gov>

### BOARD MEMBERS

**M. Susan Jones, RN, President**  
*Bowling Green*

**June Bell, RN, Vice-President**  
*Owensboro*

**Lori Davis, Citizen-at-Large, Financial Officer**  
*Lexington*

**Elizabeth Partin, ARNP, Secretary**  
*Columbia*

**Mabel Ballinger, Citizen-at-Large**  
*Covington*

**Sally Baxter, RN**  
*Maysville*

**Phyllis Caudill-Eppenstein, LPN**  
*Ashland*

**Peggy Fishburn, LPN**  
*Scottsville*

**Ann Fultz, LPN**  
*Ashland*

**Marcia Hobbs, RN**  
*Murray*

**Catherine Hogan, RN**  
*Louisville*

**Jimmy T. Isenberg, RN**  
*Glasgow*

**Jan Ridder, RN**  
*Louisville*

**John Sublett, ARNP**  
*Owensboro*

**Ann H. Veno, RN**  
*Crestwood*

**Mary Gail Wilder, RN**  
*Henderson*

### BOARD MEETINGS

**August 14-15, 2003**  
*Regular Meeting*

**October 9-10, 2003**  
*Regular Meeting*

**November 5, 2003**  
*Special Meeting*

**November 6-7, 2003**  
*Annual Retreat*

**December 11-12, 2003**  
*Regular Meeting*

**February 5-6, 2004**  
*Regular Meeting*

**April 15-16, 2004**  
*Regular Meeting*

**June 10-11, 2004**  
*Annual Meeting*

# KENTUCKY BOARD OF NURSING

## MISSION

The Kentucky Board of Nursing protects public health and welfare by development and enforcement of state laws governing the safe practice of nursing.

## CORE VALUES

**In order to protect the public, we are committed to:**

**D**istinction Excellence and quality by delivering consistent, effective, and efficient services.

**I**ntegrity Honesty, fairness, and objectivity in the development and enforcement of laws and regulations.

**R**esponsiveness Taking initiative, communicating openly, and demonstrating care and concern in all endeavors.

**C**ollaboration Working in a cooperative spirit while maintaining respect for all individuals.

## VISION

**We aspire to:**

**D**eliver Benchmark quality services in healthcare regulation.

**M**eet The challenges of a dynamic and ever-changing healthcare environment.

**H**ave An organizational environment that fosters creativity, innovation, and outstanding leadership.

**H**ave A committed and appropriately compensated Board/staff who have exceptional knowledge and skills.

**A**chieve Integration of regulatory efforts affecting the health of the public.

**H**ave State-of-the-art technology that promotes effectiveness and efficiency.



**Goal 1:** *Sound defensible, regulatory practices that protect the public.*

- ♦ Create opportunities for interagency policy development and collaboration.
- ♦ Continue enhancements for the disciplinary action processes.
- ♦ Increase public awareness and understanding of the role and purpose of the Board of Nursing.
- ♦ Increase the public's participation in regulatory decision making.
- ♦ Continue planning for nursing education requirements, practice issues, and competency determination.
- ♦ Regulate nurses and persons who provide nursing related acts.

**Goal 3:** *Optimal use of technology that supports agency services.*

- ♦ Plan for implementation of the agency Information Resources Plan.
- ♦ Improve utilization of communications technology.
- ♦ Explore new technologies to enhance agency functions.

**Goal 2:** *Efficient delivery of services that meet the needs of consumers and regulated entities.*

- ♦ Maintain an organizational structure that promotes effective utilization of agency resources.
- ♦ Enhance communications.
- ♦ Continue to implement workflow redesign for selected agency services.
- ♦ Monitor mutual recognition initiatives.
- ♦ Continue electronic enhancements to licensure and credentialing processes.

**Goal 4:** *An organizational culture that promotes job satisfaction and career development.*

- ♦ Increase staff involvement in agency planning and policy implementation.
- ♦ Enhance orientation and development programs for the members of the Board, committees, and councils.
- ♦ Enhance means to increase service recognition of volunteers and Board and staff members.
- ♦ Monitor and maintain appropriate compensation for employees and Board members.
- ♦ Increase understanding of job functions throughout the agency.

# Board of Nursing Composition, Structures & Operations

## BOARD ACTIVITIES

All meetings of the Board and its committees and councils were held in open session as required by the open meetings law. The commitment of the members of the Board and the dedication of its staff continued in unabated fashion. Appreciation for this service by Board staff and members was expressed through the recognition programs of the agency and executive branch of state government.

Retiring Board members June Bell, RN; Peggy Fishburn, LPN; M. Susan Jones, RN; and John Sublett, ARNP; were thanked for their substantial contributions to the Board. Sue Davis, RN; Kathy Martin, RN; and Gail Wise, RN; were newly appointed to the Board, while Peggy Fishburn, LPN, was reappointed. All were welcomed.

## COMMITTEE MEETINGS

Jan 8, 2004 ..... Education, Practice & Consumer Protection Committees  
Mar 18, 2004 ..... Education, Practice & Consumer Protection Committees  
May 13, 2004 ..... Education, Practice & Consumer Protection Committees

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## BOARD OFFICERS

### ELECTED APRIL 2004

**President:** Jimmy T. Isenberg  
**Vice-President:** Elizabeth Partin  
**Secretary:** Sally Baxter  
**Financial Officer:** Catherine Hogan

### IMMEDIATE PAST

M. Susan Jones  
June Bell  
Elizabeth Partin  
Lori Davis

### PAST

Jan Ridder  
M. Susan Jones  
Ann Fultz  
Catherine Hogan

## AOU PLANNING COMMITTEE FOR CAPTASA CONFERENCE

*Paula Schenk, RN*

## HEALTH SERVICE COUNCIL OF METROPOLITAN LOUISVILLE GREATER LOUISVILLE WORKFORCE CONSORTIUM

Associate Member

*Sharon Weisenbeck, RN*

Clinical Teaching Subcommittee

*Sharon Weisenbeck, RN; Patricia Spurr, RN*

Recruitment and Retention Committee

*Sharon Weisenbeck, RN*

CNO/Dean Subcommittee of the Recruitment/

Retention Education Committee

*Patricia Spurr, RN*

## KENTUCKIANA CONTINGENCY PLANNERS GROUP

*Don Snow, Treasurer*

## KY ASSOCIATION OF ADMINISTRATIVE ADJUDICATORS

*Nathan Goldman, JD, President Elect*

## KY ASSOCIATION OF HEALTH CARE FACILITIES

*Sally Baxter, RN*

## KY ASSOCIATION OF HOMES & SERVICES FOR THE AGING

*Anne H. Veno, RN*

## KY COALITION OF NURSE PRACTITIONERS & NURSE MIDWIVES

*Elizabeth Partin, ARNP*

## KY COUNCIL OF ASSOCIATE DEGREE NURSING

*Mary Gail Wilder, RN; Patricia Spurr, RN*

## KY COUNCIL OF BACCALAUREATE & HIGHER DEGREE NURSING

*Marcia Hobbs, RN; Patricia Spurr, RN*

## KY COUNCIL OF PRACTICAL NURSING

*Jimmy Isenberg, RN; Patricia Spurr, RN*

## KY EMPLOYEE SUGGESTION SYSTEM COUNCIL

*Leisa Drexler*

## KY HOSPITAL ASSOCIATION

Center for Nursing/Allied Health Professions Advisory Board

*Sharon Weisenbeck, RN*

Nursing Workforce Foundation

*Sharon Weisenbeck, RN*

## KY MEDICAL ASSOCIATION PATIENT SAFETY TASK FORCE

*Elizabeth Partin, ARNP*

## KY NURSE DAY COMMITTEE

*Sally Baxter, RN; Judy Amig, RN*

## KY NURSES ASSOCIATION

Board of Directors

*M. Susan Jones, RN*

Cabinet on Nursing Practice

*Catherine Hogan, RN; Bernadette Sutherland, RN*

Nursing Education & Research Cabinet

*M. Susan Jones, RN; Patricia Spurr, RN*

Committee to Plan the KNA Centennial Celebration

*Sandy Johanson, RN; Sharon Weisenbeck, RN, Alternate*

## KY NURSES FOUNDATION

Board of Trustees

*Nathan Goldman, JD*

## KY ORGANIZATION OF NURSE LEADERS (KONL)

*Jan Ridder, RN*

## KY STATE ASSOCIATION OF LPNs

*Peggy Fishburn, LPN*

## NATIONAL ASSOCIATION OF DRUG DIVERSION INVESTIGATORS (NADDI)

*Sandra Johanson, RN; Judy Amig, RN*

## SEXUAL ASSAULT RESPONSE TEAM ADVISORY COMMITTEE

*Sharon Weisenbeck, RN*

## COMMITTEES, COUNCILS, GROUPS, PANELS

### CONSUMER PROTECTION COMMITTEE \*

The Consumer Protection Committee considers those matters related to investigation and disciplinary processes and preparation of hearing panel members.

Anne H. Veno, RN, Chairperson  
Mabel Ballinger, Citizen-at-Large  
Sally Baxter, RN  
Phyllis Caudill-Eppenstein, LPN  
Lori Davis, Citizen-at-Large

### EDUCATION COMMITTEE \*

The Education Committee considers those matters related to mandatory continuing education and prelicensure nursing education in the Commonwealth.

M. Susan Jones, RN, Chairperson  
Ann Fultz, LPN  
Marcia Hobbs, RN  
Jimmy Isenberg, RN  
Anne H. Veno, RN  
Mary Gail Wilder, RN

### PRACTICE COMMITTEE \*

The Practice Committee considers those matters related to the interpretation of the legal scope of nursing practice as defined in *Kentucky Nursing Laws* and KBN administrative regulations. Committee deliberations may include review of other relevant statutes and regulations as necessary.

Catherine Hogan, RN, Chairperson  
Sally Baxter, RN  
June Bell, RN  
Peggy Fishburn, LPN  
Elizabeth Partin, ARNP  
Jan Ridder, RN  
John Sublett, ARNP

### NURSING INCENTIVE SCHOLARSHIP FUND GRANT REVIEW COMMITTEE

The Nursing Incentive Scholarship Fund Grant Review Committee reviews all proposals for nursing workforce competency development grants and makes recommendations to the Board.

M. Susan Jones, RN, Chairperson  
Sue Davis, RN  
Judy Ober, RN  
Ruth Ann Steele, LPN

\* M. Susan Jones, RN, KBN President, and Sharon M. Weisenbeck, RN, KBN Executive Director, are Ex-Officio Members of Standing Committees

### ADVANCED REGISTERED NURSE PRACTICE COUNCIL

Related organizations nominate representatives for membership on the ARNP Council, as an advisory body to KBN. The council advises and recommends practice standards regarding the performance of acts relative to nurse anesthesia, nurse-midwifery, nurse practitioner and clinical nurse specialist practice.

Elizabeth Partin, ARNP, Chair  
Patricia C. Birchfield, ARNP, KNA  
Danny M. Clark, MD, KBML  
Jill Crawford, ARNP, KNA  
Kimberly Evans, ARNP, KNA  
Marianne Hutti, ARNP, KCNP/NM  
Laure Schadler, ARNP, KCNP/NM  
Charlotte Smith, ARNP, KANA  
Patricia Thornbury, RPh, KBPh

### DIALYSIS TECHNICIAN ADVISORY COUNCIL

The Dialysis Technician Advisory Council advises KBN regarding qualifications, standards for training, competency determination of dialysis technicians, and all other matters related to dialysis technicians.

Peggy Fishburn, LPN, Chairperson  
Beverly Baker, DT  
Leitha Olson, RN  
LaVette Owens, DT  
R. Lynne Patterson, RN  
Charles Stewart, DT  
Mary Pat Stickler, RN

### CREDENTIALS REVIEW PANEL

The Credentials Review Panel considers those matters related to licensure and registration credentials and disciplinary investigation and action not otherwise covered by applicable laws and/or guidelines set by KBN.

Marcia Hobbs, RN, Chairperson  
Elizabeth Partin, ARNP  
Jan Ridder, RN

### KBN CONNECTION EDITORIAL PANEL

The KBN Connection Editorial Panel considers those matters related to planning for the preparation and publication of the official KBN newsletter, which was published 3 times (fall, winter, and spring) in FY 03-04.

Phyllis Caudill-Eppenstein, LPN, Chairperson  
Lori Davis, Citizen-at-Large  
Catherine Hogan, RN

## **COMMITTEES, COUNCILS, GROUPS, PANELS (CONTINUED)**

### **GOVERNANCE PANEL**

The Governance Panel is responsible for reviewing certain Board guidelines, Board member development, Board structure, and Board operations. It submits recommendations to the Board on these and related matters.

June Bell, RN, Chairperson  
Mabel Ballinger, Citizen-at-Large  
Phyllis Caudill-Eppenstein, LPN  
Jimmy Isenberg, RN  
John Sublett, ARNP

### **KENTUCKY ALTERNATIVE RECOVERY EFFORT (KARE) FOR NURSES PANEL**

The Kentucky Alternative Recovery Effort for Nurses Panel was established to identify and assist nurses whose abilities to provide nursing care are compromised by dependency on drugs or alcohol so that they can return to competent and safe practice.

Mabel Ballinger, Citizen-at-Large, Chairperson  
June Bell, RN

### **LPN SCOPE OF PRACTICE TASK FORCE**

The LPN Scope of Practice Task Force was established to study and submit recommendations to the Board on the scope of licensed practical nursing practice in Kentucky.

Anne Veno, RN, Chairperson  
Margaret Anderson, RN  
Pat Burge, RN  
Clara Dorris, RN  
Phyllis Caudill-Eppenstein, LPN  
Peggy Fishburn, LPN  
Ann Fultz, LPN  
Sue Hayes, RN  
Karen Hinkle  
Jimmy Isenberg, RN  
Mary Kleber, RN  
Cheryl McKenzie, LPN  
Mary Lou Marzian, RN, Representative  
Charlotte Morgan, RN  
Susan Pohl, RN  
Connie Smith, RN  
Susan Theobald, RN  
Ross Thomas, RN  
Joyce Thompson, RN  
Sandra Thornton, LPN  
Nancy Turner, RN

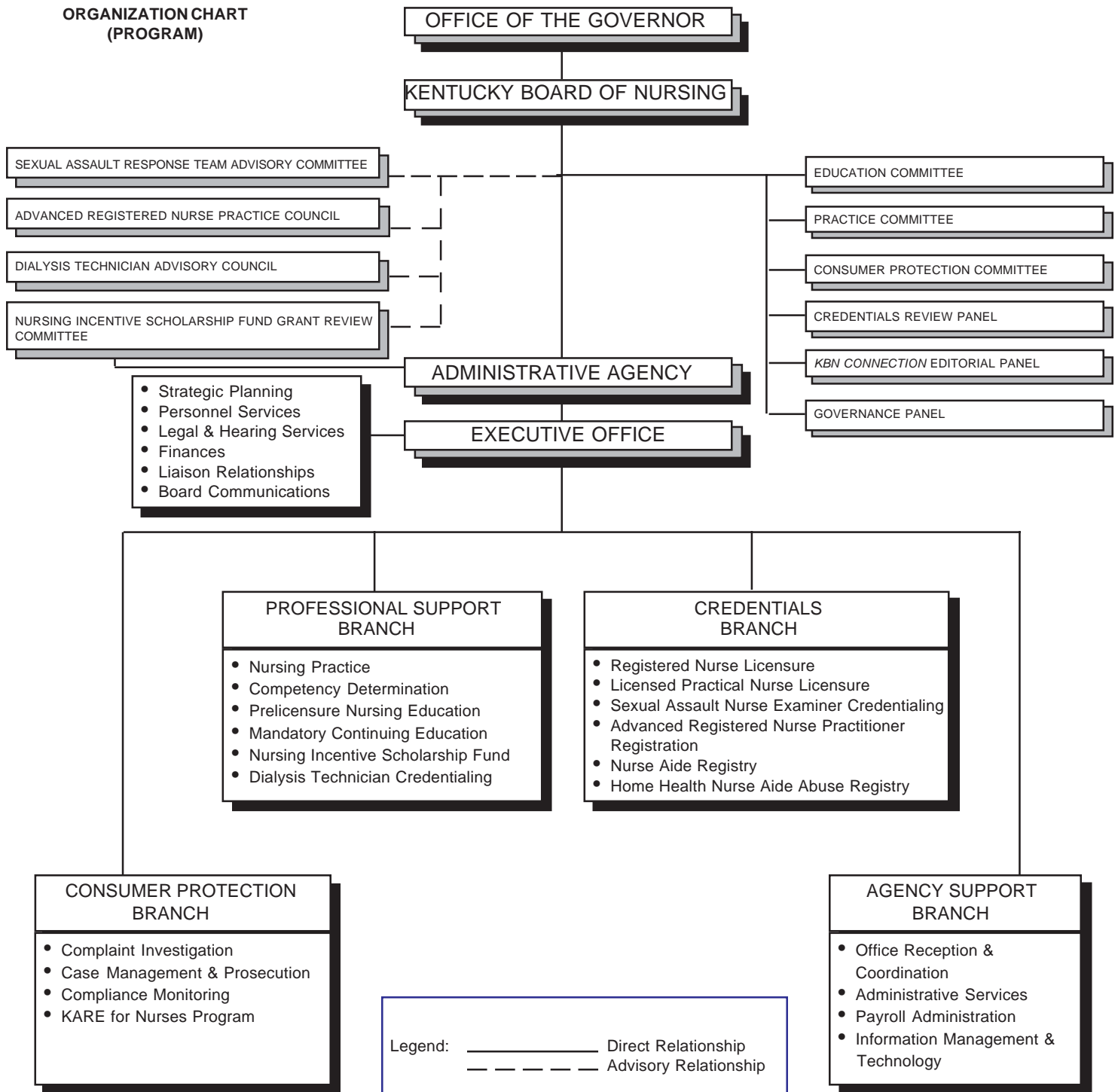
### **VISION OF THE FUTURE OF NURSING TASK FORCE**

The Vision of the Future of Nursing Task Force was created by the Board in 2003 to explore the continuum of practice and needed educational preparation for the future protection of consumers in the Commonwealth of Kentucky to meet the vision of the Board.

Jan Ridder, RN, Chairperson  
June Bell, RN  
Lori Davis, Citizen-at-Large  
Peggy Fishburn, LPN  
Catherine Hogan, RN  
Jimmy Isenberg, RN  
M. Susan Jones, RN  
Elizabeth Partin, ARNP  
Mary Gail Wilder, RN

# REGULATION OF NURSES AND NURSING EDUCATION AND PRACTICE

## ORGANIZATION CHART (PROGRAM)





## HIGHLIGHTS OF BOARD ACTIVITIES

This Annual Report provides a synopsis of the various activities conducted by the agency to fulfill its charge to regulate the practice of nursing in order to protect and safeguard the health and safety of the citizens of the Commonwealth of Kentucky [Reference: KRS 314.021(1)]. Highlights of this years' activities are listed below:

- ◆ Approved the annual license renewal fee be set at \$50; the one-card ARNP/RN annual registration/licensure renewal fee be set at \$100; the retired license status fee be set at \$25; and the name change fee be set at \$35. The proposed effective date of these fees will be July 1, 2005.
- ◆ Directed that the KARE for Nurses Panel be dissolved and its functions merged into the Credentials Review Panel.
- ◆ Directed that the Board education programs continue and be held during three Board meetings on Friday morning. Directed staff to obtain continuing education credit for these programs, as feasible.
- ◆ Directed that the Board take the necessary steps to change the *KBN Connection* from an in-house publication to an out-sourced publication, with oversight by the Board.
- ◆ Directed that KBN Administrative Regulation 201 KAR 20:370, Section 1(5), shall apply to any applicant who has been found by a court of competent jurisdiction to be in default of a Nursing Incentive Scholarship Fund award.
- ◆ Directed that the practice of issuing letters of concern to nurses under investigation as a resolution of a complaint be continued. Further directed that the practice of notifying the complainant that a letter of concern has been sent be discontinued, but continue to notify the complainant of file away status.
- ◆ Directed that the practice of sending letters of concern to facilities or individuals who are not under the Board's jurisdiction be discontinued, but to refer this information to the appropriate agency.
- ◆ Directed that the Board develop a set of action plans dealing with the following Patient Safety Initiative issues:
  1. Direct Care Initiatives
    - a. The prevention of errors, primarily medication errors.
  2. Integration of Education and Practice
    - a. Standardization of nursing education programs for ARNP, LPN, and BSN completion.
    - b. Continued competency.
    - c. Congruence of education and practice, which would include how changes in nursing practice are incorporated into nursing program curricula.

Further directed that a joint meeting of the Education, Practice, and Consumer Protection Committees be convened to develop a set of action plans for these initiatives.

- ◆ Directed that having met the charge of the Board, the Vision of the Future of Nursing Task Force be dissolved.
- ◆ Directed the development of a web page, as an addition to the KBN website, to serve as a clearinghouse of education materials and resources for programs of nursing within Kentucky. Further directed the development of a web page to include more detailed geographical information about the nursing programs.
- ◆ Approved the move of the Laurel Technical College Practical Nursing Program located in Rockcastle Hospital, Mt. Vernon, Kentucky, from the present location to a space that is suitable to comply with requirements set forth in 201 KAR 20:350: "Educational facilities and resources for prelicensure registered nurse and practical nurse programs." This relocation shall be accomplished prior to the beginning of the Fall 2004 Semester. Further directed that a progress report be submitted to the Board related to the relocation.
- ◆ Directed that the clinical portion of the refresher course be waived, temporarily, pending a final solution to the issues and upon completion of the didactic and all other requirements, license the applicant. A work group, to be appointed by the KBN president, shall consider various alternatives and present their findings to the Board. Further directed that KBN send letters of solicitation and notification of concern to the Kentucky Organization of Nurse Leaders, Kentucky Association of Homes and Services for the Aging, Kentucky Association of Health Care Facilities, and other identified groups regarding the clinical placement availability of refresher students.
- ◆ Directed that the funding of the KARE for Nurses Program be subsidized by the Board, as needed.

# Kentucky Administrative Regulations

*Kentucky Administrative Regulations* are enacted to operationalize statutory language and carry force and effect of law. Administrative regulations were revised during FY 03-04 as indicated by the effective date.

## 201 Kentucky Administrative Regulation 20:

## Effective/Revision Date:

.056	Advanced Registered Nurse Practitioner Registration .....	4/03
.057	Scope & Standards of Practice of ARNPs .....	8/03
.070	Licensure by Examination .....	2/04
.085	Licensure Periods .....	2/95
.095	Inactive Nurse Licensure Status .....	10/03
.110	Licensure by Endorsement .....	10/03
.161	Investigation & Disposition of Complaints .....	8/93
.162	Procedures for Disciplinary Hearings Pursuant to KRS 314.091 .....	10/01
.200	Definitions for Mandatory Continuing Education .....	7/92
.215	Continuing Competency Requirements .....	5/04
.220	Provider Approval .....	8/03
.225	Reinstatement of Licensure .....	10/03
.230	Renewal of Licenses .....	9/01
.235	The Prevention of Transmission of HIV & HBV by Nurses .....	9/93
.240	Fees for Applications & for Services .....	10/01
.250	Definitions for RN & PN Prelicensure Programs of Nursing .....	2/93
.260	Organization & Administration Standards for Prelicensure Programs of Nursing .....	11/00
.270	Programs of Nursing Surveys .....	11/87
.280	Standards for Prelicensure RN & PN Programs .....	1/03
.290	Standards for Prelicensure RN & PN Extension Programs .....	11/87
.300	Standards for Prelicensure Experimental Programs of Nursing .....	6/85
.310	Faculty for Prelicensure RN & PN Programs .....	4/03
.320	Standards for Curriculum of Prelicensure RN Programs .....	8/03
.330	Standards for Curriculum of Prelicensure PN Programs .....	8/03
.340	Students in Prelicensure RN & PN Programs .....	6/85
.350	Education Facilities & Resources for Prelicensure RN & PN Programs .....	6/85
.360	Evaluation of Prelicensure RN & PN Programs .....	11/87
.370	Applications for Licensure & Registration .....	10/03
.380	Standards for Refresher Course Approval .....	11/87
.390	Nursing Incentive Scholarship Fund .....	10/03
.400	Delegation of Nursing Tasks to Unlicensed Persons .....	8/03
.410	Expungement of Records .....	1/03
.411	Sexual Assault Nurse Examiner Program Standards & Credential Requirements .....	4/04
.420	Determination of Death by a RN Employed by an Ambulance Service .....	8/99
.430	Discontinuance of Resuscitation by a RN Employed by an Ambulance Service .....	8/99
.440	Training of RNs Employed by an Ambulance Service in Determination of Death and Discontinuance of Resuscitation .....	8/99
.450	Alternative Program .....	8/03
.460	Declaratory Rulings .....	6/01
.470	Dialysis Technician Credentialing Requirements and Training Program Standards .....	8/03
.480	Licensure of Graduates of Foreign Nursing Schools .....	10/03



# Financial Operations

The Kentucky Board of Nursing (KBN) is a fee supported agency. No general revenue tax dollars are expended by the agency. The revenue balance for FY 03-04 was \$6,812,793 with expenditures totaling \$4,070,656. Funds from the balance are carried forward each year to meet the upcoming fiscal year budget needs. Revenue from the renewal of RN and LPN licenses is received on a biennial basis: RN licenses are renewed in even years and LPN licenses in uneven years. Due to the larger number of RN licenses, it is necessary for the agency to carry forward a significantly large fund balance at the end of the first year of a budget biennium to adequately cover expenditures for the second half of the biennium. The Nursing Incentive Scholarship Fund (NISF) received \$500,000 from a civil settlement with Kindred Nursing Centers Limited Partnership. The money was specifically designated for nursing scholarships.

Various KBN publications and informational material were offered for a nominal fee that covered duplicating costs. Some of the publications available for purchase were the KBN History, *Kentucky Nursing Laws*, and KBN administrative regulations. Brochures available at no charge included Continuing Education, Sexual Assault Nurse Examiner Program, Kentucky Alternative Recovery Effort for Nurses Program, Disciplinary Process and Procedures for Nursing Licensure, Assuring Safe Nursing Care in Kentucky, Criminal Convictions, and Nursing Workforce Competency Development Grants. Three editions of the agency newsletter, the *KBN Connection*, were published. The KBN website offered a multitude of information and services.

## FEE SCHEDULE

### Licensure/Registration

#### Application Fees

	<u>RN</u>	<u>LPN</u>
Endorsement .....	\$120	\$120
Reinstatement .....	120	120
Active License Renewal * .....	105	105
Inactive License Renewal * .....	75	75
Examination .....	110	110
Change of Licensure Status .....	95	95
ARNP Registration .....	120	
ARNP Reinstatement .....	120	
ARNP Renewal * .....	95	
SANE Credential .....	120	
SANE Reinstatement .....	120	
SANE Renewal .....	95	
Duplicate License Letter/Card .....	35	35
Licensure Certificate .....	30	30

#### Verification of Licensure, Registration, or Credential Status:

To Other States .....	50	50
Dialysis Technician Credential .....	35	
Online .....	1 per record	
Individual Written .....	1 per record/\$10 minimum	
Returned Check .....	25	
Duplicate Renewal Application .....	25	
(Due to failure to maintain current address)		

#### Continuing Education Approval Fees

Initial Provider Approval .....	\$400
Reinstatement of Provider Approval .....	400
Renewal of Provider Approval * .....	150
Offering Approval Via Staff Review .....	10

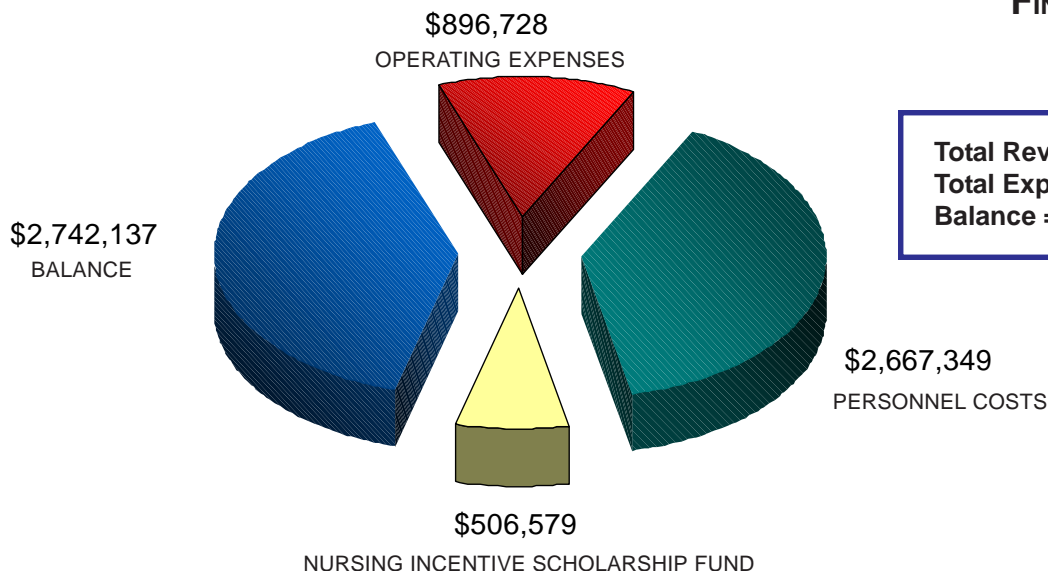
#### Data Roster Order Request

More than 20,000 Individuals .....	\$480
5,000-20,000 Individuals .....	\$360
Less than 5,000 Individuals .....	\$120

\* Issued for a 2-year period

## FINANCIAL REPORT

FY 03-04



Total Revenue Balance = \$6,812,793  
Total Expenditures = \$4,070,656  
Balance = \$2,742,137

# Board Administrative Programs

## CONTINUING EDUCATION/COMPETENCY

As a mechanism to promote continuing competency, the *Kentucky Nursing Laws* (KRS 314.073) mandate that licensees shall be required to document continuing competency during the immediate past licensure period as prescribed in regulations promulgated by the Board. KBN is the Commonwealth agency legally authorized to approve providers of mandatory CE. During FY 03-04, according to KBN Administrative Regulation 201 KAR 20:215, validation of CE/competency must have included one of the following:

1. Proof of having earned 30 approved contact hours; **OR**
2. A national certification or recertification related to the nurse's practice role (in effect during the whole period or initially earned during the period); **OR**
3. Proof of having earned 15 approved contact hours, **PLUS at least one of the following:**
  - a) Completion of a nursing research project as principal investigator, coinvestigator, or project director. Must have been qualitative or quantitative in nature, utilized research methodology, and included a summary of the findings.
  - b) Publication of a nursing related article.
  - c) A continuing education presentation that was designed and developed by the presenter, presented to nurses or other health professionals, and evidenced by a program brochure, course syllabi, or a letter from the offering provider identifying the licensee's participation as the presenter of the offering.
  - d) A nursing employment evaluation that was satisfactory for continued employment (must have been signed by supervisor with the name, address, and phone number of the employer included).
  - e) A successfully completed nursing employment competency validation (validated by employer with the name, address, and phone number of employer included).

There was a requirement to earn 3 contact hours of approved domestic violence CE within 3 years of initial licensure (one-time only). ARNPs were required to earn 5 contact hours of approved CE in pharmacology within the 2-year period. Sexual Assault Nurse Examiners (SANE) credentialed nurses must have earned 5 contact hours of approved sexual assault CE within the 2-year period (forensic medicine or domestic violence CE will have met this requirement). The hours counted as part of the CE requirement for the period in which they were earned.

**HIV/AIDS CE Requirement:** The 2 hours of mandatory HIV/AIDS CE could be earned once every 10 years. The LPN earning period began 11/1/2001 and goes through 10/31/2011, while the RN period began 11/1/2002 and goes through 10/31/2012. Nurses must maintain proof of earning the required CE for up to 12 years.

**Requirement for New Licensees:** All licensees were exempt from the CE/competency requirement for the first renewal period of the Kentucky license issued by examination or endorsement. If an individual did not renew the original license, the exemption for the CE/competency was lost and all CE requirements must have been met before the license could be reinstated.

**Academic (College Credit Courses) Used to Meet CE Requirements:** Certain college credit courses could be used to meet CE requirements. Nursing courses, designated by a nursing course number, and courses in physical and social sciences, such as Psychology, Biology, and Sociology, counted toward CE hours. One semester credit hour equaled 15 contact hours; one quarter credit hour equaled 12 contact hours. Prelicensure general education courses, either electives or designated to meet degree requirements, were not acceptable, as well as CPR/BLS, in-service education, auxiliary training courses (nurse aide, EMT, phlebotomy, etc.). ACLS or PALS courses were acceptable if they were given by an approved provider.

**Post-Renewal Audit Process:** The audit process was used to verify CE/competency earning, including the 2 hours of HIV/AIDS education. The random audit required that those persons selected show documented evidence (certificate of attendance, transcript, grade report, employment evaluation, competency validation, etc.) of approved CE/competency earning during the applicable licensure period. Of those licensees randomly selected for the recent LPN audit process, 95% demonstrated compliance with the CE requirements. Those not complying were referred for disciplinary action.

## NATIONAL NURSING ORGANIZATIONS RECOGNIZED BY KBN FOR APPROVAL OF CE OFFERINGS

(HIV/AIDS CE approved through the Cabinet for Health Services (CHS) is also accepted)

American Academy of Nurse Practitioners (AANP)  
American Association of Critical Care Nurses (AACN)  
American Association of Nurse Anesthetists (AANA)  
American College of Nurse-Midwives (ACNM)  
American Nurses Credentialing Center of the American Nurses Assn  
Accredited Providers including ANA Constituent State Nurses' Assns  
Other State Boards of Nursing

Assn of Women's Health, Obstetrical and Neonatal Nurses (AWHONN)  
National Assn of Nurse Practitioners in Women's Health  
National Assn of Pediatric Nurses Associates & Practitioners (NAPNAP)  
National Assn for Practical Nurses Education & Service (NAPNES)  
National Federation of Licensed Practical Nurses (NFLPN)  
National League for Nursing (NLN)

## CE PROVIDERS BY CATEGORY

Professional Nursing Organizations .....	10
Related Nursing Organizations .....	4
Educational Institutions .....	30
Health Service Agencies .....	123
Health Related Organizations .....	28
Commercial Organizations .....	8
Other .....	24
Refresher Courses .....	6
<b>Total .....</b>	<b>233</b>

Individual Review of CE Offerings ..... 99

## INVESTIGATION & DISCIPLINARY ACTION

### DISCIPLINARY ACTIONS FY 03-04

TYPE OF DISCIPLINARY ACTION	RN	PN
Licenses Revoked .....	2	3
Licenses Immediately Temporarily Suspended .....	16	31
Licenses Suspended .....	8	4
Licenses Continued on Suspension .....	8	12
Licenses Suspended/Stayed Followed by Limitation/Probation or Probation .....	7	3
Licenses Limited/Probated or Probated .....	20	6
Licenses Voluntarily Surrendered .....	14	14
Requests for Reinstatement of Revoked/Suspended Licenses		
Granted on a Probationary or Limited Basis .....	7	3
Admitted to NCLEX/Licenses Probated/Limited .....	1	1
Admission to NCLEX or Endorsement Granted/Reprimand .....	0	0
Licenses Granted Reinstatement .....	0	0
Licenses Denied Reinstatement .....	4	6
Licenses Reprimanded .....	27	20
Licenses Denied .....	1	3
Licenses Cleared of Disciplinary Action .....	20	11
Consent Decrees/Employment .....	5	6
Consent Decrees/Continuing Education .....	13	26
Consent Decrees/Dialysis Technicians .....	3	
Cease and Desist Notices Issued .....	5	
Temporary Work Permits Voided .....	2	

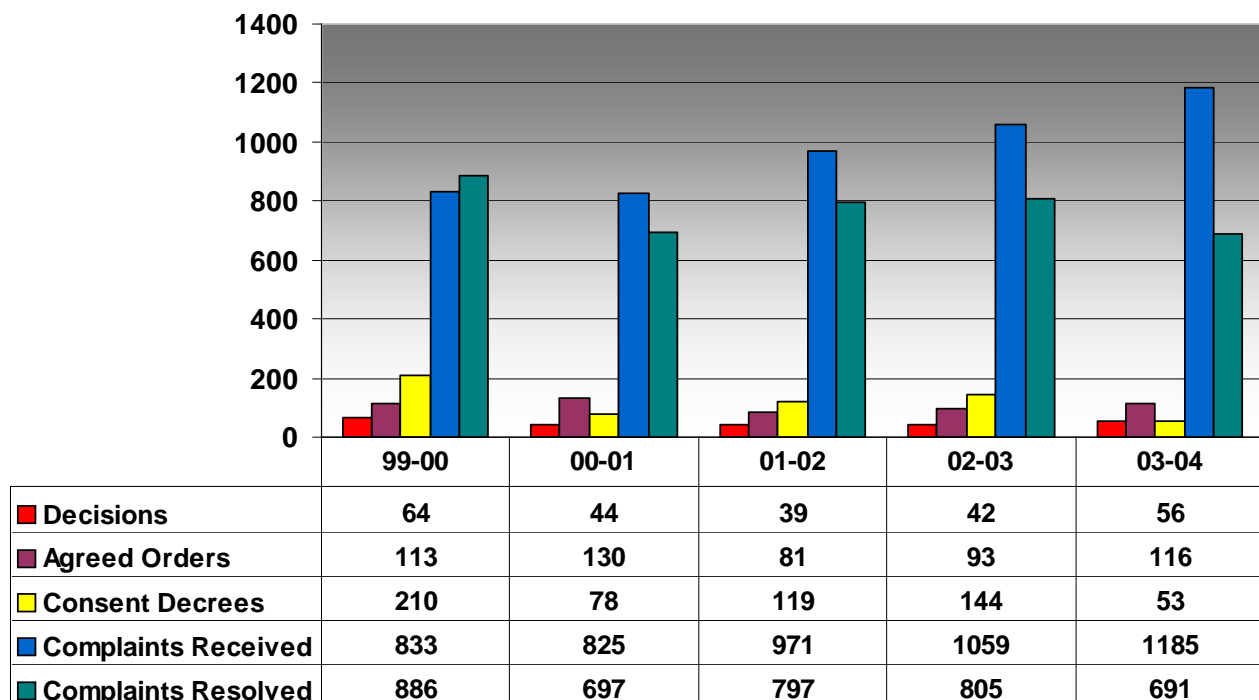
The *Kentucky Nursing Laws* provide that the Board of Nursing may "deny, limit, revoke, probate or suspend any license to practice nursing issued by the Board or applied for . . . or to otherwise discipline a licensee or to deny admission to the licensure examination, or to require evidence of evaluation and therapy . . . ."

The Board continues its efforts to make the public aware of the investigatory and disciplinary procedures and to emphasize the legal requirement to, and importance of, reporting nurses who are suspected of engaging in unsafe or illegal practices.

### COMPLAINT ACTIVITY

Complaints for Applicants with Conviction Records Reviewed .....	336
Complaints/Information Filed Away - No Formal Action Deemed Necessary	
Reviewed By:	
Credentials Review Panel .....	142
Staff Member Review .....	525
Board Member Review .....	150
TOTAL NUMBER OF COMPLAINTS RECEIVED .....	1185
ACTIVE CASES AS OF JUNE 30, 2004 .....	287

### SUMMARY OF DISCIPLINARY ACTIONS FY 99-04



## NURSING PRACTICE

KBN interprets the legal scope of nursing practice according to the *Kentucky Nursing Laws* and KBN administrative regulations in the determination of safe and effective nursing care for the citizens of the Commonwealth. In response to inquiries requesting interpretation of the legal scope of nursing practice, KBN has published formal advisory opinion statements as guidelines for safe practice (see the chart below), as well as issuing other opinions on nursing practice matters.

During FY 03-04, the Board issued nursing practice advisory opinions addressing: Insertion of Bravo pH Capsule by RNs; roles of nurses in psychotherapy; administration of medications for procedural sedation; telephone triage; administration of Etomidate during rapid sequence induction; procurement of medications in a correctional facility; use of guidelines, protocol, and standing orders; administration of medications via gastrostomy tubes by unlicensed assistive personnel in schools; administration of Versed for treatment of terminal restlessness; administration of medications in life threatening situations without a medical order; laser hair removal; administration of local anesthesia to dental patients; review of normal diagnostic test reports; and reading of x-rays to confirm peripherally inserted central catheter placement.

### KBN ADVISORY OPINION STATEMENTS

83-01	Role of the RN/LPN in Spinal Screening for Detection of Common Abnormal/Curvatures of the Spine
83-02	Role of the ARNP, RN, and LPN in Gynecological Cancer Detection
99-03	Roles of Nurses in Intravenous Therapy Practice
84-04	Roles of RNs and ARNPs in the Administration of Medication per Intraspinal Routes
84-05	The Performance of Advanced Life Support Procedures by RNs
84-06	The Performance of Arterial Puncture by RNs
84-07	Roles of Nurses in Superficial Wound Closure
84-08	Role of the RN First Assistant
95-09	The Performance of Wound Debridement by Nurses
85-10	Roles of Nurses in the Care of Intrapartum Patients
85-11	Roles of Nurses in the Insertion and Removal of a Gastric Tube and in the Reinsertion of a Gastrostomy Tube
85-13	Roles of RNs in Psychiatric and Mental Health Nursing Practice
* 87-14	Roles of Nurses in the Implementation of Patient Care Orders
* 87-15	Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel
87-16	Roles of Nurses in the Administration of Medication via Various Routes
87-17	Roles of Nurses in the Administration of "PRN" Medication
87-18	Employment of Nursing Students as Nursing Personnel Using Either an Academic or a "Nurse Extern" Service Model
88-19	Responsibility and Accountability of Nurses for Patient Care Assignments and Nursing Care Delivery
89-20	Roles of RNs in Invasive Cardiac Procedures
90-21	Roles of Nurses and Technicians in Dialysis
90-22	Roles of Nurses who Provide "Private Duty" Nursing
90-23	The Application and Removal of a Cast or Splint by Nurses
03-24	Patient Abandonment by Nurses
* 91-25	Peripheral Insertion of Central, Midclavicular and Midline Intravenous Catheters by Nurses
91-26	Roles of Nurses in the Delivery of Prehospital Emergency Medical Care via Ambulance Services
92-27	Components of LPN Practice
92-28	Roles of Nurses and Unlicensed Nursing Personnel in Endoscopic Procedures
93-29	Cardiopulmonary/Respiratory Nursing Practice
93-30	School Nursing Practice
94-31	Removal of Femoral Access Devices (Sheaths) and Use of Mechanical Compression Devices by RNs
95-32	Intravenous Administration of Medications for Sedation by Nurses
03-33	Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department

\* These advisory opinion statements were revised during FY 03-04